

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

MICHAEL O'BRIEN,

09-CV-1148-JE

Plaintiff,

ORDER

v.

J.E. THOMAS, WOMELDORF, BURNS,
LANE, and McMANN,

Defendants.

MICHAEL O'BRIEN
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Sheridan, OR 97378

Plaintiff, *Pro Se*

DWIGHT C. HOLTON

United States Attorney

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Attorneys for Defendants

BROWN, Judge.

Magistrate Judge John Jelderks issued Findings and Recommendation (#26) on April 26, 2011, in which he recommends this Court grant Defendants' Motion (#21) to Dismiss and dismiss Plaintiff's Complaint with prejudice. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). See also *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Jelderks's Findings and Recommendation (#26). Accordingly, the Court **GRANTS** Defendants' Motion (#21) to Dismiss and **DISMISSES** this matter **with prejudice**.

IT IS SO ORDERED.

DATED this 13th day of June, 2011.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge